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- REMARKS -

In the Non-Final Office Action, Examiner Elahee rejected pending claims 1-19 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

- A. Examiner Elahee rejected pending claims 9-16 under 35 U.S.C. §112, ¶2 as indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention

The Applicant has amended claims 9-16 herein to recite "call forwarding module" and "voice portal module" in lieu of "first module" and "second module", respectively. Withdrawal of the rejection of claims 9-16 under 35 U.S.C. §112, ¶2 as being indefinite is therefore respectfully requested.

- B. Examiner Elahee rejected pending claims 1-4, 7-12, and 17-19 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,208,854 to *Roberts et al.*

The Applicant has thoroughly considered Examiner Elahee's remarks concerning the patentability of claims 1-4, 7-12 and 17-19 over *Roberts*. The Applicant has also thoroughly read *Roberts*. To warrant this §102(e) rejection, *Roberts* must show each and every limitation of independent claims 1, 7-9, and 15-19 in as complete detail as is contained in independent claims 1, 7-9 and 15-19. See, MPEP §2131. The Applicant respectfully traverses this 35 U.S.C. §102(e) rejection of independent claims 1, 7-9 and 15-19, because *Roberts* unequivocally fails to disclose, teach or suggest any of the limitations of independent claims 1, 7-9 and 15-19.

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Specifically, *Roberts* discloses a method of call forwarding a voice call to a communication unit by wireless and landline networks. As generally illustrated in FIGS. 2 and 3 of *Roberts*, the networks 240 of *Roberts* (1) determine whether a wireless communication unit 230 is available immediately upon receipt of a voice call directed to a landline communication unit 220 at a step 310, and (2) automatically route the voice call to the landline communication unit 220 if it is determined that the wireless communication unit 230 is unavailable at a step 320 or automatically route the voice call to the wireless communication unit 230 if it is determined that the wireless communication unit 230 is available at a step 330. The method of *Roberts* is terminated once a voice call has been forwarded to either of the communication units 220 and 230. As such, *Roberts* fails to disclose, teach or suggest how the communication units 220 and 230 are to handle a forwarded voice call in response to the forwarded voice call being answered by one of the communication units 220 and 230. Accordingly, at best, the networks 240 of *Roberts* are no more than the call forwarding module 21 illustrated in FIGS. 2 and 5 of the present invention.

By comparison, independent claims 1, 7-9 and 15-19 of the present invention recite limitations directed to how an available telematic device is to handle a forwarded voice call in response to the forwarded voice call being answered by the telematic device via a unique voice portal module 23 illustrated in FIG. 5 of the present invention. Without any disclosure, teaching or suggestion of structure or steps comparable to the recited limitations of independent claims 1, 7-9 and 15-19 directed to voice portable module 23, *Roberts* fails to disclose, teach or suggest any of the limitations of independent claims 1, 7-9, and 15-19. In particular, *Roberts* fails to disclose, teach or suggest "maintaining a call state of the voice call in response to an answering by the first telematic device of one or more call forwarding rings indicative of the voice call" as recited in independent claims 1, 7 and 8; "a voice portal module operable to maintain a call state of the voice call in response to an answering by the first telematic device of one

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or more call forwarding rings indicative of the voice call" as recited in independent claims 9, 15 and 16; and "means for maintaining a call state of the voice call in response to an answering by the first telematic device of one or more call forwarding rings indicative of the voice call" as recited in independent claims 17-19.

Withdrawal of the rejection of independent claims 1, 7-9, and 15-19 under 35 U.S.C. §102(e) as being anticipated by *Roberts* is therefore respectfully requested.

- C. Examiner Elahee rejected pending claims 5 and 13 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,208,854 to *Roberts* et al. in view of U.S. Patent No. 5,375,161 to *Fuller* et al.

Claim 5 depends from independent claim 1. Therefore, dependent claim 5 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 5 is allowable over *Roberts* in view of *Fuller* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over *Roberts* in view of *Fuller*. Withdrawal of the rejection of dependent claim 5 under 35 U.S.C. §103(a) as being unpatentable *Roberts* in view of *Fuller* is therefore respectfully requested.

Claim 13 depends from independent claim 9. Therefore, dependent claim 13 includes all of the elements and limitations of independent claim 9. It is therefore respectfully submitted by the Applicant that dependent claim 13 is allowable over *Roberts* in view of *Fuller* for at least the same reason as set forth herein with respect to independent claim 9 being allowable over *Roberts* in view of *Fuller*. Withdrawal of the rejection of dependent claim 13 under 35 U.S.C. §103(a) as being unpatentable *Roberts* in view of *Fuller* is therefore respectfully requested.

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- D. Examiner Elahee rejected pending claims 6 and 14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,208,854 to *Roberts* et al. in view of U.S. Patent No. 6,493,442 to *Goldman* et al.

Claim 6 depends from independent claim 1. Therefore, dependent claim 6 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 6 is allowable over *Roberts* in view of *Goldman* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over *Roberts* in view of *Goldman*. Withdrawal of the rejection of dependent claim 6 under 36 U.S.C. §103(a) as being unpatentable *Roberts* in view of *Goldman* is therefore respectfully requested.

Claim 14 depends from independent claim 9. Therefore, dependent claim 14 includes all of the elements and limitations of independent claim 9. It is therefore respectfully submitted by the Applicant that dependent claim 14 is allowable over *Roberts* in view of *Goldman* for at least the same reason as set forth herein with respect to independent claim 9 being allowable over *Roberts* in view of *Goldman*. Withdrawal of the rejection of dependent claim 14 under 36 U.S.C. §103(a) as being unpatentable *Roberts* in view of *Goldman* is therefore respectfully requested.

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SUMMARY

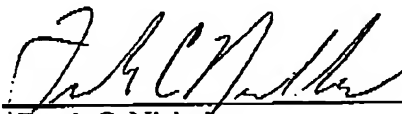
Examiner Elahee's rejections of claims 1-19 have been obviated by the amendment herein of claims 9-16 and the remarks herein relating to the patentability of claims 1-19 over Roberts. The Applicant respectfully submits that claims 1-19 as amended herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Elahee is respectfully requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,
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